

**CITY COUNCIL, CITY OF ROCKFORD**  
**JOURNAL OF PROCEEDINGS**  
**MAY 14, 2012**  
**COUNCIL CONVENED AT 6:24 P.M.**

1. The Clerk called the meeting to order in the absence of the Mayor, and recognized Alderman Mark who moved that Alderman Johnson serve as Mayor Pro Tem for the meeting. Said motion was seconded by Alderman Beach. MOTION PREVAILED.
- 1a. The invocation was given by Chaplain Phillip Henselin, New Life Lutheran Church/ Rockford Police Chaplain and the Pledge of Allegiance was led by Council Page Yesenia Centeno.
2. Roll Call:  

Alderman Johnson, Mayor Pro Tem

Aldermen: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,  
(Johnson), Timm, Beach, Elyea, Beck, McNeely, Robertson -14-

Absent: -0-
3. Alderman Mark moved to accept the Journal of Proceedings of May 7, 2012, seconded by Alderman Wasco. MOTION PREVAILED.

**OFFICERS REPORTS**

4. Alderman Johnson welcomed forward the Ukrainian Dignitaries from the Sister City of Brovary.

Alderman Beach welcomed the delegation to council and a news clip was viewed about his trip to Brovary in 1995.

Igor Sapozhko , Mayor of Brovary thanked everyone for their hospitality and invited Mayor Morrissey to visit Brovary in September. He announced Rockford College has offered a scholarship grant to four (4) Brovary students to study at Rockford College and would like to offer a similar exchange program for Rockford students to study in Brovary. He presented Mayor Morrissey and the City of Rockford with gifts.

Alderman Johnson, on behalf of Mayor Morrissey, presented Mayor Sapozhko with gifts for his delegation.

**PUBLIC PARTICIPATION**

5. Beth Grobe emotionally explained she is an advocate for assisting residents to get out of the flood plain and is frustrated with City staff ignoring her findings of an error in the flood plain map.
6. Dr. Bob Griffin thanked Police Chief Epperson, his leadership team and officers of the Rockford Police Department for their outstanding service to our citizens and shared the courageous story of former Rockford Police Officer Sherry Glover.

7. Dyanna Chandler reported yesterday began Police Memorial Week, recognizing Chief Epperson and his team for their efforts and honoring those officers fallen in the line of duty. She encouraged citizens to assist and partner with police officers and to educate their children to respect them.
8. Rev. Derrick Shelby spoke about Judgment Day with Jesus.
9. Lloyd Johnston, President of Rockford Branch NAACP, spoke about National Police Week encouraging law enforcement to continue their efforts to keep citizens free from harm's way and salutes those officers fallen in the line of duty.

### **PETITIONS AND COMMUNICATIONS**

10. Alderman Thompson-Kelly submitted a request for service regarding mud/ drainage/ curbing problems on Evelyn Street near Auburn Street. Referred to Public Works Department.
- 10a. Alderman Thompson-Kelly submitted a request for an honorary street name change. Referred to Code and Regulation Committee.
11. Alderman Beck submitted a Memorandum from Kerry Partridge, City Attorney regarding Intergovernmental Agreement by the Illinois Office of the Comptroller and the City of Rockford regarding Access to the Comptroller's Local Debt Recovery Program. Referred to Finance and Personnel Committee.
12. Alderman Beck submitted a Memorandum from Wayne Dust, Planning Administrator regarding Illinois EPA Municipal Brownfields Redevelopment Grant Award of \$1 Million. Referred to Finance and Personnel Committee.
13. Alderman Beck submitted a Memorandum from Tim Holdeman, Superintendent, Water Division regarding an Emergency Purchase Order issued to Stenstrom Excavation & Blacktop Group, of Rockford, Illinois for emergency water main repairs. The repairs were necessary to avoid complications associated with repairing a water main adjacent to the concrete wall and footing of the Rock River KIA building. The cost of the repair was \$24,115.80. The funding will come from Water Division operating funds. Placed on file.
14. Alderman Elyea submitted a Memorandum from Dwayne A. Collins, Grants Compliance Specialist II, regarding a Funding for the Regional Access Mobilization Project (RAMP). Referred to Planning and Development Committee.
15. Alderman Beach submitted a Memorandum from Julia Valdez, Deputy City Administrator/ Director of Human Resources, regarding upcoming events:
  1. Swedish Historical Society Mid Sommer Fest – 6/16/12
  2. US Bank Mortgage Event – 6/21/12
  3. Summer Music Bash – 6/23/12

4. Polish Fest – 8/10/12

Referred to Code and Regulation Committee.

16. Alderman Beach submitted the Rockford Traffic Commission minutes from the meeting held on May 9, 2012. Referred to Code and Regulation Committee.
17. Alderman Beach submitted a Memorandum from Jennifer Cacciapaglia, City Attorney, regarding Amendments to the Special Event Ordinance. Referred to Code and Regulation Committee.

### **NEW COMMITTEE REPORTS**

#### **2012-178CR**

18. Alderman Beach read a Code and Regulation Committee Report recommending approval of the settlement agreement in Brown v. City of Rockford, et al. in the amount of \$55,000.00 with a release to be obtained.

Alderman Beach moved to suspend Rule 11, seconded by Alderman Wasco. MOTION PREVAILED. The Committee Report was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes:	Durkee, Curran, Mark, Wasco, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -13-
Nays:	-0-
Abstain	Hervey -1-
Absent:	-0-

19. Alderman Beach read a Code and Regulation Committee Report recommending the approval of an ordinance prohibiting the sale of animals at swap meets, flea markets and public property. LAID OVER.
20. Alderman Beach read a Code and Regulation Committee Report REVERSING the Zoning Board of Appeals, thereby recommending that City Council DENY Special Use Permit for off-premise sign in a C-3, Commercial General Zoning District at 7510 East State Street. LAID OVER.
21. Alderman Beck read a Finance and Personnel Committee Report recommending the award for Engineering Agreement: Harrison Avenue Bridge over the Rock River Deck and Miscellaneous Superstructure Rehabilitation on May 14, 2012, begs leave to report recommending that an award be made to HR Green, Inc. to perform design and construction engineering for a total not-to-exceed cost of \$54,205.16. The funding for this project will come from Sales Tax funds. LAID OVER.
22. Alderman Beck read a Finance and Personnel Committee Report recommending the award for Engineering Agreement Amendment: Sawyer Road Reconstruction be made to Willett Hofmann & Associates, Inc. for an additional \$24,799.01 for a total not-to-exceed

cost of \$51,333.65 for construction engineering. The funding for this project will come from Sales Tax funds. LAID OVER.

23. Alderman Beck read a Finance and Personnel Committee Report recommending the City Council authorize the Mayor and City Legal Director to enter into a retainer agreement with Smith Amundsen for Legal Services consistent with the proposal attached hereto, providing for fees at \$175 per hour. The funding source shall be the department operating budgets. The legal director shall prepare the appropriate ordinance. LAID OVER.
24. Alderman Beck read a Finance and Personnel Committee Report recommending the City Council authorize the Mayor and City Legal Director to enter into a retainer agreement with Shelsky and Froelich for Legal Services, consistent with the proposal attached hereto. The funding source shall be the redevelopment fund. The legal director shall prepare the appropriate ordinance. LAID OVER.

#### **2012-179CR**

25. Alderman Beck read a Finance and Personnel Committee Report recommending the award of a Sole Source Contract for the repair of the Storm Inlet Cleaning Vehicle to Standard Equipment, of Chicago, Illinois for an estimated cost of \$20,000 with the stipulation that Standard Equipment shall credit the City one-half of the actual repair cost toward the lease of a replacement vehicle to be acquired later in 2012. The funding source is Garage Fund.

Alderman Beck moved to suspend Rule 11, seconded by Alderman Mark. MOTION PREVAILED (Ald. McNeely voted no). The Committee Report was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -14-  
Nays: -0-  
Absent: -0-

26. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of May 14, 2012 in the amount of \$4,094,313.13. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -14-  
Nays: -0-  
Absent: -0-

#### **2012-180CR**

27. Alderman Elyea read a Planning and Development Committee Report recommending approval of the Development Agreement with Prairie Street Brewhouse, LLC for the rehabilitation and establishment of a mixed use development to be located at 200 Prairie Street.

Alderman Elyea moved to suspend Rule 11, seconded by Alderman Mark. MOTION PREVAILED. The Committee Report was placed up for passage. MOTION PREVAILED.

### **OFFICERS REPORTS**

28. Alderman Johnson, on behalf of Mayor Morrissey, presented a Proclamation proclaiming the week of May 13<sup>th</sup> to be "NATIONAL POLICE WEEK" in Rockford, Illinois and urged its citizens to honor and show our sincere appreciation for the police officers of our community by deed, remark and attitude.
29. Alderman Johnson, on behalf of Mayor Morrissey, presented a Proclamation proclaiming the month of May, 2012 to be "MENTAL HEALTH AWARENESS MONTH" in Rockford, Illinois and encouraged all citizens to educate themselves on the importance of mental health.
30. Alderman Johnson, on behalf of Mayor Morrissey, presented a Proclamation proclaiming the week of May 14, 2012 to be "SALVATION ARMY WEEK" in Rockford, Illinois and urged all citizens to recognize and appreciate the dedication and commitment the Salvation Army provides to our community's needs.
31. Alderman Johnson, on behalf of Mayor Morrissey, presented a Proclamation proclaiming the week of May 14, 2012 to be "I KNOW I CAN WEEK" in Rockford, Illinois and encouraged all citizens to acknowledge the importance of post-secondary education by wearing collegiate spirit apparel this week. Inspire our youth to make their dreams become reality by making a commitment to attend college.
32. Alderman Johnson, on behalf of Mayor Morrissey, presented a Proclamation proclaiming the week of May 14, 2012 to be "RIVERSIDE COMMUNITY BANK WEEK" in Rockford, Illinois and urged citizens to recognize and appreciate the dedication and commitment locally run businesses like Riverside Community Bank provide to our economy and to our region.
33. Alderman Johnson, on behalf of Mayor Morrissey, offered his regrets for missing two council meetings.
34. Alderman Johnson thanked the Rockford Police Department, Public Works Department, RMTD, Rockford Chamber of Commerce and BMO Harris Center for their support and assistance with the Installation and Ordination ceremony of Bishop David Malloy.
35. Alderman Johnson called attention to a News Release announcing the Illinois EPA Awards \$1 Million River Edge Grant to Rockford for Redevelopment. River Edge Municipal Brownfield Redevelopment Grant will help clean up and redevelop sites along South Main Street.
36. Alderman Johnson announced a schedule of events for National Peace Officer's Memorial Week has been distributed to council members and encouraged them to attend.

37. Alderman Johnson mentioned a handout from Lloyd Johnston, President of the Rockford Branch NAACP, has been distributed to council members with his comments at tonight's meeting.
38. Alderman Mark reported attending Mass last evening at St. Peter's Church and today's Ordination and Installation of Bishop David Malloy. He welcomed Bishop Malloy to Rockford and believes Rockford will be well served by him.
39. Alderman Mark thanked Bishop Thomas Doran for his leadership and service to the Diocese and Community of Rockford.
- 39a. Alderman Johnson also reported attending the amazing, beautiful Ordination and Installation ceremony of Bishop David Malloy.
40. Alderman Thompson-Kelly, in recognition of National Police Week, thanked Police Chief Epperson, his staff and officers for their dedication and service to the community.

### **UNFINISHED BUSINESS**

#### **2012-181CR**

41. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending the award for Garage Door Services be made to the (2) lowest bidders, Raynor Door Authority, of Loves Park, Illinois and Overhead Door Co., of Rockford, Illinois for the hourly rates as shown on tabulation. The funding source is Property Fund. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,  
Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -14-  
Nays: -0-  
Absent: -0-

42. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending the award for Material Testing be made to Apex Testing and Environmental Services, LLC to perform materials testing for various road projects for a total not-to-exceed cost of \$100,000. The funding source is Sales Tax funds. REFERRED BACK TO COMMITTEE.

Alderman Beck made a motion to refer the item back to committee, seconded by Alderman Jacobson. MOTION PREVAILED.

#### **2012-182CR**

43. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending approval of an Engineering Agreement with McMahon Associates for Demolition of Well Site 28 in an amount not to exceed \$11,400. Funding for the project will come from the Water Replacement and Improvement Account (WRIA). MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,  
Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -14-

Nays: -0-  
Absent: -0-

**2012-183CR**

44. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending approval of Task Order #19 with MWH America, Inc. for work on the Water System Rehabilitation Project in an amount not to exceed \$89,800. The task order will be completed under a Master Agreement with MWH Americas, Inc. Funding for the project will come from the Water Replacement & Improvement Account (WRIA). MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -14-  
Nays: -0-  
Absent: -0-

**2012-184CR**

45. Alderman Beck moved the adoption of a Finance and Personnel Committee Report recommending the award for Engineering Agreement: On Call Construction Observation be made to Homer Chastain & Associates, to perform construction observation services for various road projects for a total not-to exceed cost of \$50,000. The funding for the project will come from Sales Tax funds. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, Robertson -13-  
Nays: McNeely -1-  
Absent: -0-

**2012-185CR**

46. Alderman Beach moved the adoption of a Code and Regulation Committee Report recommending that City Council APPROVE granting an amended sanitary sewer easement through City of Rockford Property. The Legal Director shall prepare the necessary Ordinance. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, Robertson -13-  
Nays: McNeely -1-  
Absent: -0-

**2012-186CR**

47. Alderman Beach moved the adoption of a Code and Regulation Committee Report recommending the approval of Spring Meadows Plat #2. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -14-  
Nays: -0-  
Absent: -0-

**2012-187CR**

48. Alderman Beach moved the adoption of a Code and Regulation Committee Report recommending the approval of the Final Plat 5 of Riverside Marketplace. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,  
Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -14-  
Nays: -0-  
Absent: -0-

**2012-188CR**

49. Alderman Beach moved the adoption of a Code and Regulation Committee Report recommending the approval of Downtown Rockford (Final Plat of Jefferson/South Third Street). MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,  
Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -14-  
Nays: -0-  
Absent: -0-

**2012-189CR**

50. Alderman Beach moved the adoption of a Code and Regulation Committee Report recommending the approval of the Plan of Operation and Governance regarding an Electricity Aggregation Program. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,  
Johnson, Timm, Beach, Elyea, Beck, Robertson -13-  
Nays: McNeely -1-  
Absent: -0-

**2012-067-O**

51. Alderman Beach moved the adoption of an Ordinance amending Chapter 16, Schedule 313 of the Code of Ordinances of the City of Rockford to repeal the following:

The existing "No Parking Weekdays from 1 pm – 4 pm" restriction on the north side of Fulton Avenue from 150 feet west of Winnebago Street from 250 feet west of Winnebago Street, thus restoring unrestricted parking.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,  
Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -14-  
Nays: -0-  
Absent: -0-

**2012-068-O**

52. Alderman Beach moved the adoption of an Ordinance amending Chapter 16, Schedule Section 280 of the Code of Ordinances of the City of Rockford to repeal the following:



The existing "No Parking Anytime" restriction on the north side of Fulton Avenue from Rockton Avenue to 150 feet east of Rockton Avenue, thus restoring unrestricted parking.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,  
Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -14-  
Nays: -0-  
Absent: -0-

**2012-069-O**

53. Alderman Beach moved the adoption of an Ordinance amending Chapter 16, Schedule Section 309 of the Code of Ordinances of the City of Rockford to add the following:

That a "Commercial Loading" parking zone be established from 8:00 am – 5:00 pm, Monday through Friday on the north side of Mulberry Street from Church Street to 95 feet west of Church Street, thus repealing the existing "24 hour" commercial loading zone on the north side of Mulberry Street from Church Street to 95 west of Church Street.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,  
Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -14-  
Nays: -0-  
Absent: -0-

**2012-070-O**

54. Alderman Beach moved the adoption of an Ordinance for an agreement between the Highway Authority and Richard Warner for remedial action for the property located at 1706 Rural Street and prohibits the use of groundwater for the area surrounding.

MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly,  
Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -14-  
Nays: -0-  
Absent: -0-

**2012-071-O**

55. Alderman Elyea moved the adoption of an Ordinance for Amendments to the City's Housing and Community Development 2010-2014 Consolidated Plan in connection with the Department of Housing and Urban Development's Emergency Solutions Grant Program. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Jacobson, Thompson-Kelly, Johnson,  
Timm, Beach, Beck, Robertson -11-  
Nays: Hervey, Elyea, McNeely -3-  
Absent: -0-

**2012-072-O**

56. Alderman Elyea moved the adoption of an Ordinance for the Development Agreement with Downtown Rockford Restaurant, LLC upon receipt of approval from U.S. Department of Housing and Urban Development. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Curran, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Beck, Robertson -12-  
Nays: Elyea, McNeely -2-  
Absent: -0-

**2012-073-O**

57. Alderman Jacobson moved the adoption of an Ordinance amending the Redistricting Ordinance, with the Maps and Legal Descriptions for the Wards of the City of Rockford based upon the 2010 census. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Timm, Beach, Elyea, Beck, McNeely, Robertson -13-  
Nays: Curran -1-  
Absent: -0-

**MOTIONS AND RESOLUTIONS**

**2012-062R**

58. Alderman Beach, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution, for the Rockford Public Library requesting a special event permit for the Rockford Public Library's Summer Reading Club Kick-Off Party on June 2, 2012 from 10:00 am – 1:00 pm located at Parking Lot "C" at the corner of Jefferson and Wyman Streets. MOTION PREVAILED.

**2012-063R**

59. Alderman Beach, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution, for Midtown Lutheran Parish requesting a special event permit for the Midtown Summerfest 2012 on July 14, 2012 from 9:00 am – 5:00 pm located at 925 5<sup>th</sup> Avenue. MOTION PREVAILED.

**2012-064R**

60. Alderman Beach, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution, for Bethesda Covenant Church requesting a special use permit for the Bethesda Covenant Church Alley Walk on September 8, 2012 from 8:30 am – 4:00 pm located at the Church, 2101 East State Street. MOTION PREVAILED.

**2012-065R**

61. Alderman Beach, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution, for Stateline Community Foundation requesting a special use permit for Amped Up Adventure Race Series on October 20, 2012 from 8:00 am – 3:00 pm, race to begin at the YMCA, 200 Y Boulevard. MOTION PREVAILED.

**2012-066R**

62. Alderman Beach, on behalf of the Code and Regulation Committee, moved the adoption of a Resolution, for Rockford Sharefest requesting a special use permit for Rockford Sharefest 5K/Walk on June 16, 2012 from 8:00 am – 12:00 (noon), race to begin at 324 Madison Street. MOTION PREVAILED.

**2012-067R**

63. Alderman Beck, on behalf of the Finance and Personnel Committee, moved the adoption of a resolution authorizing the Central Services Manager to take bids for the following:

A. Bid: Demolition of 1229 6<sup>th</sup> Ave., 616-618 15<sup>th</sup> Ave., 1215 Blaisdell St., 935 N. Court St., 1610 Genoa St., and 1236 Sanford St., funding source: CDBG

B. Bid: City-Wide Street Repair, Group 4, funding source: Sales Tax

C. Bid: City-Wide Floor Mats, Mops & Towel Services & Supplies, funding source: Departmental Operating Budgets

D. RFP: Benefits Consultant, funding source: Health Insurance Fund

MOTION PREVAILED.

64. Alderman Robertson read in a resolution that the Mayor and City Council of the City of Rockford support investment in the Region's amateur sports tournament facilities and recreation venues designed to enhance the economic benefit to our Region derived from amateur sports and recreation tourism and improve the health, welfare and quality of life of its citizens, and;

That the Mayor and City Council of the City of Rockford supports the passage of legislation by the Illinois General Assembly empowering the County of Winnebago, with approval from local governments representing a minimum of 67% of the County of Winnebago's population located within incorporated areas, to impose up to a 2% tax upon hotel rooms in the County of Winnebago for the limited purpose of investing in the improvement of the Region's amateur sports tournament facilities and recreation venues to enhance and maintain the substantial economic benefit derived from amateur sports and recreation tourism and to improve the health, welfare and quality of life of its citizens.

LAID OVER.

**NEW BUSINESS**

65. Alderman Beach introduced and read an Ordinance amending Chapter 3, Section 3-55 of the Code of Ordinances of the City of Rockford upon all other requirements of the Liquor Ordinance having been met, said amendment shall serve as City Council advice and consent for the Liquor Commissioner to issue a Liquor License to the following person:

**Neel Patel d/b/a Cork, Keg and Spirits** for the sale of packaged liquor in conjunction with a liquor store in a C-2, Limited Commercial Zoning District at 1603 North Alpine Road. Approval is subject to the following conditions:

1. Meeting all applicable liquor codes.
2. Meeting all applicable building and fire codes.
3. Signage must be in compliance with the Zoning Ordinances and may not cover more than 35% of the window surface for indoor signs
4. Hours of operation should be limited to Monday through Thursday 10:00 am to 10:00 pm; Friday through Saturday 10:00 am to midnight; and Sunday 10:00 am to 9:00 pm.

LAID OVER.

66. Alderman Beach introduced and read an Ordinance amending Chapter 3, Section 3-55 of the Code of Ordinances of the City of Rockford upon all other requirements of the Liquor Ordinance having been met, said amendment shall serve as City Council advice and consent for the Liquor Commissioner to issue a Liquor License to the following person:

**Rosa Laurencio d/b/a Tortacos Soto** for the sale of beer and wine by the drink in conjunction with a restaurant in a C-4, Urban Mixed-Use Zoning District at 1138 Broadway. Approval is subject to the following conditions:

1. Meeting all building and fire codes.
2. Compliance with all City of Rockford Liquor Codes.
3. The sale of alcoholic beverages shall be in conjunction with a restaurant.
4. The sale of alcohol shall be limited to the interior of the restaurant that was submitted Exhibit E
5. The hours and days of operation for the restaurant will be from 8:00 am – 9:00 pm Monday through Sunday.
6. The amount of liquor sales as a percentage of gross annual sales of the business shall not exceed 25%.
7. The restaurant shall not operate as a nightclub.

LAID OVER.

67. Alderman Beck introduced and read an Ordinance authorizing the Mayor and Legal Director to execute and attest the Development Agreement providing for a South Main Street Water Main Railroad Pipe Crossing License with the Illinois Railway, LLC for an annual fee of \$1,000.00. LAID OVER.

68. Alderman Elyea introduced and read an Ordinance approving the First Amendment to the Redevelopment Agreement with Ingenium Testing Services LLC; Ingenium Aerospace LLC; and ITS Partners LLC. LAID OVER.

69. Upon motion duly made and seconded, the meeting was adjourned at 8:02 p.m.

Respectfully submitted,

Diane Reed  
City Council Clerk

[The meeting was taped in its entirety, and the tape is on file in the Legal Department]

**CITY COUNCIL, CITY OF ROCKFORD, ILLINOIS**  
**City Council Chambers, 2<sup>ND</sup> floor City Hall**  
**425 E. State Street, Rockford**  
**May 21, 2012**  
**6:00 P.M.**  
**AMENDED AGENDA**

The following represents, in general, the chronological order of proceedings at the City Council meeting:

- Call to Order by the Mayor
- Invocation and Pledge of Allegiance
- Roll Call and determination of quorum
- Acceptance of Journal of Proceedings
- Public Hearing
- Public Participation
- Petitions and Communications
- New Committee Reports (Reports of Standing Committees – Code and Regulation, Finance and Personnel, Planning and Development - and other select committees)

**I. NEW COMMITTEE REPORTS TO BE READ IN MAY 21, 2012**

**A. CODE AND REGULATIONS**

1. Beach – Traffic – Repealing “No Parking Saturday pm and Sunday am” restriction on the south side of Bell Avenue from Ridge Avenue. to 200 feet west of Ridge Avenue.
2. Beach – Traffic – “20 mph School Speed Limit” on Rockton Ave. from Knight to Custer Avenues.
3. Beach – Traffic – “No Parking Anytime” Tow Away Zone on east side of Court Street from Chestnut to Green Streets.
4. Beach – Traffic – “US Marshall Parking Only” Tow Away Zone on the east side of Court Street from Cedar to Green Streets.
5. Beach – Traffic – No Action on the following:
  1. Request from 6<sup>th</sup> Ward to establish stop control of Marshall Street stopping for Sawyer Road at the intersection of Marshall and Sawyer.
6. Beach – Amendments to Chapter 16, Article 127 regarding snow emergency parking, repealing the sunset clause and replacing any provisions .
7. Beach - Request for Honorary Street Name Change on Yonge from Rockton to Kilburn

8. Beach - Miracle Mile Request – Proposed Regulations for Tobacco Shops, Second Hand Stores, Cash Stores and Pawn Shops – Review of Regulations for junk/salvage yard, recycling facilities and waste related uses
  9. Beach - Closed Session - Litigation: Loudermilk v. City of Rockford
- Officers Reports

## **UNFINISHED BUSINESS**

### **II. COMMITTEE REPORTS LAID OVER MAY 14, 2012**

1. Beach - Code and Regulation - Recommending the approval of an ordinance prohibiting the sale of animals at swap meets, flea markets and public property.
2. Beck - Finance and Personnel - Recommending the award for Engineering Agreement: Harrison Avenue Bridge over the Rock River Deck and Miscellaneous Superstructure Rehabilitation on May 14, 2012, begs leave to report recommending that an award be made to HR Green, Inc. to perform design and construction engineering for a total not-to-exceed cost of \$54,205.16. The funding for this project will come from Sales Tax funds.
3. Beck - Finance and Personnel - Recommending the award for Engineering Agreement Amendment: Sawyer Road Reconstruction be made to Willett Hofmann & Associates, Inc. for an additional \$24,799.01 for a total not-to-exceed cost of \$51,333.65 for construction engineering. The funding for this project will come from Sales Tax funds.
4. Beck - Finance and Personnel - Recommending the City Council authorize the Mayor and City Legal Director to enter into a retainer agreement with Smith Amundsen for Legal Services consistent with the proposal attached hereto, providing for fees at \$175 per hour. The funding source shall be the department operating budgets. The legal director shall prepare the appropriate ordinance.
5. Beck - Finance and Personnel - Recommending the City Council authorize the Mayor and City Legal Director to enter into a retainer agreement with Shefsky and Froelich for Legal Services, consistent with the proposal attached hereto. The funding source shall be the redevelopment fund. The legal director shall prepare the appropriate ordinance.

### **III. ORDINANCES LAID OVER MAY 14, 2012**

1. Beach - Ordinance - Amending Chapter 3, Section 3-55 of the Code of Ordinances of the City of Rockford upon all other requirements of the Liquor Ordinance having been met, said amendment shall serve as City Council advice and consent for the Liquor Commissioner to issue a Liquor License to the following person:

**Neel Patel d/b/a Cork, Keg and Spirits** for the sale of packaged liquor in conjunction with a liquor store in a C-2, Limited Commercial Zoning District at 1603 North Alpine Road. Approval is subject to the following conditions:

1. Meeting all applicable liquor codes.
  2. Meeting all applicable building and fire codes.
  3. Signage must be in compliance with the Zoning Ordinances and may not cover more than 35% of the window surface for indoor signs
  4. Hours of operation should be limited to Monday through Thursday 10:00 am to 10:00 pm; Friday through Saturday 10:00 am to midnight; and Sunday 10:00 am to 9:00 pm.
2. Beach - Ordinance - Amending Chapter 3, Section 3-55 of the Code of Ordinances of the City of Rockford upon all other requirements of the Liquor Ordinance having been met, said amendment shall serve as City Council advice and consent for the Liquor Commissioner to issue a Liquor License to the following person:

**Rosa Laurencio d/b/a Tortacos Soto** for the sale of beer and wine by the drink in conjunction with a restaurant in a C-4, Urban Mixed-Use Zoning District at 1138 Broadway. Approval is subject to the following conditions:

1. Meeting all building and fire codes.
  2. Compliance with all City of Rockford Liquor Codes.
  3. The sale of alcoholic beverages shall be in conjunction with a restaurant.
  4. The sale of alcohol shall be limited to the interior of the restaurant that was submitted Exhibit E
  5. The hours and days of operation for the restaurant will be from 8:00 am – 9:00 pm Monday through Sunday.
  6. The amount of liquor sales as a percentage of gross annual sales of the business shall not exceed 25%.
  7. The restaurant shall not operate as a nightclub.
3. Beck - Ordinance - Authorizing the Mayor and Legal Director to execute and attest the Development Agreement providing for a South Main Street Water Main Railroad Pipe Crossing License with the Illinois Railway, LLC for an annual fee of \$1,000.00.
4. Elyea - Ordinance - Approving the First Amendment to the Redevelopment Agreement with Ingenium Testing Services LLC; Ingenium Aerospace LLC; and ITS Partners LLC.

- Motions and Resolutions

#### **IV. MOTIONS AND RESOLUTIONS**

##### **A. LAID OVER MAY 14, 2012**

1. Robertson - Resolution - That the Mayor and City Council of the City of Rockford support investment in the Region's amateur sports tournament facilities and recreation venues designed to enhance the economic benefit to our Region derived from amateur sports and recreation tourism and improve the health, welfare and quality of life of its citizens, and;



That the Mayor and City Council of the City of Rockford supports the passage of legislation by the Illinois General Assembly empowering the County of Winnebago, with approval from local governments representing a minimum of 67% of the County of Winnebago's population located within incorporated areas, to impose up to a 2% tax upon hotel rooms in the County of Winnebago for the limited purpose of investing in the improvement of the Region's amateur sports tournament facilities and recreation venues to enhance and maintain the substantial economic benefit derived from amateur sports and recreation tourism and to improve the health, welfare and quality of life of its citizens.

**B. TO BE READ IN MAY 21, 2012**

1. Beach - Swedish Historical Society Mid Sommer Fest – 6/16/12
2. Beach - US Bank Mortgage Event – 6/21/12
3. Beach - Summer Music Bash – 6/23/12
4. Beach - Polish Fest – 8/10/12
5. Beach - July 4<sup>th</sup> Celebration

**V. NEW BUSINESS** (note: Ordinances may be read in under New Business and Rule 11 suspended and final vote taken. Committee Reports would have previously been voted on).

1. Beach – Ordinance – Amendments to Chapter 16, Article 127 regarding snow emergency parking, repealing the sunset clause and replacing any provisions .
2. Beach - Granting an amended sanitary sewer easement through City of Rockford Property.
3. Elyea – Development Agreement with Prairie Street Brewhouse LLC

\* same action taken before

• Adjournment

\* \* \* \* \*

**POSSIBLE ADDITIONAL ITEMS:**

The following items appear on the City Council Standing Committee Agendas as noted. Items may receive a vote at committee and come before the first City Council meeting held after the committee meeting. Rule 11 can be suspended and final vote taken on said items at the City Council meeting (no rule suspension is necessary to take a vote on vouchers).

**CODE AND REGULATION COMMITTEE**

**Monday, May 21, 2012, 5:15 p.m.**  
**Conference Room A, City Hall 2<sup>nd</sup> floor (north room)**  
**AGENDA**

1. C & R 12-83 May Traffic Commission Minutes
2. C & R 12-80 Special Event: July 4<sup>th</sup> Celebration
3. C & R 12-84 Special Events: 1) Swed Hist Mid Sommer Fest 6/16/12  
2) US Bank Mortgage Event 6/21/12  
3) Summer Music Bas 6/23/12  
4) Polish Festival 8/19/12
4. C & R 12-86 Request for Honorary Street Name Change on Yonge from Rockton to Kilburn
5. C & R 12-35 Miracle Mile Request – Proposed Regulations for Tobacco Shops, Second Hand Stores, Cash Stores and Pawn Shops – Ald. Ann Thompson-Kelly's Request for a review of regulations for junk/salvage yard, recycling facilities and waste related uses
6. C & R 12-85 Closed Session for Purposes of Pending or Threatened Litigation: Loudermilk v. City of Rockford

**FINANCE AND PERSONNEL COMMITTEE**

**Monday, May 21, 2012, 5:15 p.m.**  
**Conference Room B, City Hall 2<sup>nd</sup> floor (south room)**  
**AGENDA**

1. Purchasing and Vouchers
  - A. Reconsider Award of RFP: Materials Testing 2012 – Suspend rules
  - B. Award of RFP: Leasing of Marked and Unmarked Squads
  - C. Emergency P.O. for Demolition of 1025 West State Street
  - D. Vouchers  
✓ Training/Travel for Human Services Department
2. Compensation Analysis & Adjustment for Non-union Personnel (Laid over 5/14)
3. Resolution for ComEd Rider LGC (Laid over 5/14)
4. Resolution for Illinois EPA Municipal Brownfields Redevelopment Grant Award
5. Intergovernmental Agreement for Access to the Comptroller's Local Debt Recovery Program

**PLANNING AND DEVELOPMENT COMMITTEE**

**Monday, May 21, 2012, 5:30 p.m.**  
**CD Conference Room, City Hall 2<sup>nd</sup> floor**  
**AGENDA**

1. Memorandum from Dwayne A. Collins, Grants compliance Specialist II, regarding Funding for the Regional Access Mobilization Project (RAMP).

**LEGISLATIVE LOBBYING COMMITTEE**

**Monday, May 21, 2012, \_\_\_\_ p.m.**  
**Conference Room A, City Hall 2<sup>nd</sup> floor (north room)**  
**AGENDA**

No Meeting Scheduled.